

Article - Criminal Procedure

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§10–244.

(a) (1) There is established a Council to be known as the “Compact Council”, which shall have the authority to promulgate rules and procedures governing the use of the III System for noncriminal justice purposes, not to conflict with FBI administration of the III System for criminal justice purposes.

(2) The Council shall:

(i) continue in existence as long as this Compact remains in effect;

(ii) be located, for administrative purposes, within the FBI; and

(iii) be organized and hold its first meeting as soon as practicable after the effective date of this Compact.

(b) The Council shall be composed of 15 members, each of whom shall be appointed by the Attorney General, as follows:

(1) nine members, each of whom shall serve a two-year term, who shall be selected from among the Compact officers of party states based on the recommendation of the Compact officers of all party states, except that, in the absence of the requisite number of Compact officers available to serve, the chief administrators of the criminal history records repositories of nonparty states shall be eligible to serve on an interim basis.

(2) two at-large members, nominated by the Director of the FBI, each of whom shall serve a three-year term, of whom:

(i) one shall be a representative of the criminal justice agencies of the federal government and may not be an employee of the FBI; and

(ii) one shall be a representative of the noncriminal justice agencies of the federal government.

(3) two at-large members, nominated by the chairman of the Council, once the chairman is elected pursuant to this section, each of whom shall serve a three-year term, of whom:

(i) one shall be a representative of state or local criminal justice agencies; and

(ii) one shall be a representative of state or local noncriminal justice agencies.

(4) one member, who shall serve a three-year term, and who shall simultaneously be a member of the FBI's Advisory Policy Board on Criminal Justice Information Services, nominated by the membership of that policy board.

(5) one member, nominated by the Director of the FBI, who shall serve a three-year term, and who shall be an employee of the FBI.

(c) (1) From its membership, the Council shall elect a chairman and a vice chairman of the Council, respectively. Both the chairman and vice chairman of the Council:

(i) shall be a Compact officer, unless there is no Compact officer on the Council who is willing to serve, in which case the chairman may be an at-large member; and

(ii) shall serve a two-year term and may be reelected to only one additional two-year term.

(2) The vice chairman of the Council shall serve as the chairman of the Council in the absence of the chairman.

(d) (1) The Council shall meet at least once each year at the call of the chairman. Each meeting of the Council shall be open to the public. The Council shall provide prior public notice in the Federal Register of each meeting of the Council, including the matters to be addressed at such meeting.

(2) A majority of the Council or any committee of the Council shall constitute a quorum of the Council or of such committee, respectively, for the conduct of business. A lesser number may meet to hold hearings, take testimony, or conduct any business not requiring a vote.

(e) The Council shall make available for public inspection and copying at the Council office within the FBI, and shall publish in the Federal Register, any rules, procedures, or standards established by the Council.

(f) The Council may request from the FBI such reports, studies, statistics, or other information or materials as the Council determines to be necessary to enable

the Council to perform its duties under this Compact. The FBI, to the extent authorized by law, may provide such assistance or information upon such a request.

(g) The chairman may establish committees as necessary to carry out this Compact and may prescribe their membership, responsibilities, and duration.

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